401-25

App. F. IX-4

Previous References. 1941-42 (Madurai)

File No. 404-

Serial Nos. 1-19

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1-10

Part B for Aug 1913

SUBJECT

Management of Shri Ganga-Vishweshwara Swamy Temple and its properties in Thirthahalli Taluk.

G.R.S. 11]

GENERAL AND REVENUE SECRETARIAT

(Miscl)

NOTES

File No. 404-11 ~~4927-66~~

FILE HEADING.

Management of the Temple of Sri Gangadhareswara Devaru at ~~Bidkinnade~~ Begunalli in the Tiptur Taluk

From

The Dy Commr, Shimoga Distt

No. 102/19 Dated 24.10.11 Received

Diary No. 665	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

Reports the result of the action taken on Govt Pro no. 84 Dy 11th July 1911 directing that the petr Thimmanna Bhatta be re-instated as manager of the above Temple.

NOTES AND ORDERS.

1) The office-note in "B" collection File no. 4970-8 clearly explains the facts of the case.

2) In G.O no. 84 Dy 11th July 1911 (Sl 7) the ~~name~~ petr Thimmanna Bhatta was ordered to be re-instated as manager of the Temple

NOTES—First sheet.

GPB—15,000—24-4-09

Serial No.

on certain conditions specified in the Muchalika executed by him before the Dy Commissioner.

The Dy Comm's present report clearly explains the action taken by him on the said order.

3) The Dy Commr directed the Amildar on 29th August 1911 to re-instate Thimmanna Bhatta as manager of the instn on his executing a muchalika on a stamped paper agreeing to abide by the conditions set forth in the Dy Comm's present Communication - Thimmanna Bhatta deposed before the Amildar that he was not aware that he would be required to devote the proceeds of the temple land solely for the benefit of the instn, that as he had incurred a large outlay on the temple lands, he would be put to loss if he should accept the manage on the conditions prescribed and that he would again represent his case before Govt -

Deposition dy 8-9-11 (24)

4) The Dy Commr observes that as already decided by Govt, Thimmanna Bhatta cannot claim beneficiary interest in the property of the temple, although

GPB—50 00 1—12 8 10

Serial No.

he is repeating his claim for the entire net profits from the Temple lands the Dy Commr reports that the Temple lands have ~~since~~ been leased out for 10 years to Ivanjappa and that it is not possible to disturb his possession during the currency of the lease, and place Thimmanna Bhatter in possession and that there is no hope of Thimmanna Bhatter agreeing to manage the instn disinterestedly that officer is of opinion that it is not desirable to disturb the present management of the instn - the original Amlagamidar Ivanjappa has asked for the lease-deed for the 9 000/ produced by him ~~and~~ under which he had obtained the Temple lands from Thimmanna Bhatr to file a suit against him.

Submitted for orders

Ag (132) 4/11/11 RG

5) Let us see if this petn can be granted any petn. Plaintiff can take action

8/11/1911

Submitted. 8/11/11 RG

6) Let us wait this petn for 15 days

15.11.1911

7) Keep about the Deputy Commr

30/11/911

~~1st~~ 2nd 8) From, Thimmanna Bhatter [illegible]

NOTE—Contn sheet

and Revenue Secretariat.

File No. 404 of 1911 ~~1908~~

Serial No.

Petition dy 6. 12. 11.

makes further representation in the matter.

2) The petr says that on receipt of Govt orders, he appeared before the Amildar and was directed that if he executed a regular mutchalika on eight-anna Stamp paper binding himself to incur expr according to the fixed scale and to work to the instn, saving if any, the Values would be restored to him. He was further told that the accumulated saving after meeting the necessary expre, would not be given to him, that the Cost of repair to the Tank in 1907-08 and that of Poje etc would not be made good by Govt and that as the Temple lands had already been leased out for a period of 10 years, it was not possible to make over the lands to him - the petr replied that he had already executed a kabu before the Dy Commr and that he would make separate representation to Govt in the matter.

3) He prays that according to his previous mutchalika given before the Dy Commr,

NOTE—Contn sheet

GPB—50,000—12 8 10

Revenue etariat.

File No. 404 1911 of ~~1907~~

Serial No.

the management of the temple together with the lands and the accumulated saving after meeting the necessary expr may be made over to him and the lease of the lands may also be cancelled.

Submitted for orders to secure cancellation.

AC 133
13.12.1911

10) The Mudaliar has accepted the terms of the Commr is in very general terms.

The object of the petr appears to have been unfettered management of the temple and lands and furnishing some accounts.

He also says that the savings of the institution should be made over to him as he has spent a large sum in obtaining a decision in his favour. It is a question if the costs incurred by the petr are to be met out of the estate.

The OS Cbe says that the lands have been leased out for ten years it is not now possible to make over possession to the petr.

The OS Cbe apparently means that the petr should recover the costs from the trustees and use a portion thereof for himself and pay the balance to the Devaswom Treasury to the credit of the institution.

This does not suit the petr. He wants the possession of the lands also. Alr[illegible] manager

14/12/1911

30/

Keep till Cr's return from Delhi

14/12/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

and Revenue retariat.

Inwd File No. 404 of 1911

Serial No.

11) Inform petitioner that nothing further can be done unless he satisfies the Conditions laid down in the last Sl.

& send copy to D.C.

10/1/12 7)

Issued 12/1/12

DFR Inwd Subwd.

12/1/12

From, the Dy. Commr, Shimoga Distt

Letter no 204/42 Dy 8.2.1912

Requests orders of Govt on the points raised in Sl 1.

NOTE—Contn. sheet.

GPB—50,000—12 8 10

Serial No.

13) The Dy. Commissioner requests orders on the points noted below:—

i) Whether the Temple lands which were leased out for a period of 10 years, ought to be placed now in possession of Timmanna Bhatta

ii) Whether in re-appointing Timmanna Bhatta as manager of the instn, he should be directed to conduct the worship and other services in the Temple as per Scale Dancts in G O of 10-11-1908

He further states that the petr Advocate for the petr urged before him that as the management was ordered to be handed over to Timmanna Bhatta, the previous order of Govt should be considered to have been cancelled, and desired that his client should be heard in person before final orders are passed by Govt

5 From, Indur Timmanna Bhatta,

5 14) Petition Dy 12.2.12.

Prays that the Temple Lands may be restored to his possession—

15) The petr says that the Temple lands S. nos 183, 184 were leased out by the Amildar at a time when his

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

was under consideration and prays that as the management has since been ordered to be restored to him, the lease entered into by the Amildar may be cancelled and the lands handed over to him. He further states that S.No 183, (since converted into inam) was under Khalsat from 1848 to 1898; that the Khata was formerly in his brother's name and latterly in his name; that they were paying full kandayam and laid out large sums of money for ~~their~~ its better cultivation; that the Temple is entitled to only the Kandaya viz Rs 135 and odd on both the S.Nos for which ~~amount~~ he will render accounts. He adds that the amounts spent by him on the lands together with those spent on Puja in the Temple (for 2 years) may be paid to him, otherwise he will be put to great loss.

Do. Councillor's order:— "Please send up the papers with a short note to-morrow. I have asked the petr to appear on Wednesday."

Submitted for orders

AV (13/2)
13-2-12

13/2/1912

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue
Secretariat.

File No. 4094 of 1911

Serial No.

14 Feb 1912

(5) Petr. re-heard.

The petr says that he should be allowed to spend 135 Rs only & should not be asked to account for the rest, as he has spent & has to spend more for lands & tank.

(1) Remembered

The petr appeared before me this day with some accts & Village maps.

He pleads hard to be put in possession of his lands in order that he may maintain himself.

Petn is accompanied properly with accounts & has been Verified & he has been asked for clearance of debts. He has the hope of getting Rs 1000 & he depends upon this Imprest Loan for this purpose; and wants to know if he can succeed in wheedling us to make over this land to him possession.

He comes forward with a plausible case. i.e. Say, that these lands were fallow & overgrown

NOTE—Contn. sheet.

GPB—50,000—12-8 10

12]
ue and Revenue Secretariat.

File No. 404 of 19 11

Serial No.

Chitaldurga, that he shall lay out sum of money in improving them and repairing the tanks also & that they become a debt and last this Kathina way. He adds that but for these attempts to improve these lands would have become quite useless for the Ryots assessed in Course of time have been free for arrears of revenue & been assigned The also says that Survey No. 183 is fully assessed as a Kharadi land & that he paid the assessment of Rs. 40 or 44 a year for about 20 years.

Survey No. 183

It is for eyer that Shanbhog should be cleared to pay assessment for this & that the Shalgani of Survey No. 184 for about Rs. 50 should be continued to Pandeswara Sidda according to his letter written. Part of this area a tank of about Rs. 31 does to Govt. for which a Lease cess is demanded there since remain a tank Rs. 100 for a year for Repairs.

2 In this Settlement did these lands be have not been able to harden any heavy assessment but that Vatandarships of their ancestral gain. So he may kindly pass the Lease & accept these terms for a period of long 15 or 20 years & their ancestors. The Lease may be given

NOTE—Contn sheet

GPB—50,000—12 8 10

3 R.S. 12]
General and Revenue Secretariat.

File No. 404 of 19 11

Serial No.

The district management offers a proposal made by the Asstt of Govt of this Khalsa. The proposal is that the lease of the land & putting more. It is to pay the land revenue & fixed. The facility of this letting proposed at a rent of Rs. 100 a year cannot be continued.

2. As regards depriving this person lease of possession perhaps that the lease has expired since. Until we hear from the Govt & then cannot their determination and that we cannot this trouble be incited. Have a file to be kept in reference.

Abdul Rahman

4/3

17/2/1912

2. The conditions laid down in the order of 11 July 1911 cannot be altered and must stand.

If the lease can be legally cancelled or the lessee agrees to give up possession, there is no objn to Govt giving actual possession to the Petr; but if it cannot be done, he will have to content himself with collecting the rent

NOTE—Contn. sheet.

GPB—50 000 -12 8 10

Serial No.

reserved as long as the lease lasts.

2. The order of 1908 was so far modified by the later order as to leave it to the discretion of "the local Muz. authority" to direct in what manner the worship should be carried on properly; and the Dy C= has therefore discretion either to direct the scale prescribed by the previous order to be adhered to or to allow any reasonable latitude to the Petitioner.

I do not think that any further modification should

4. If the Pet^r gets actual possession of the garden, it is open to the Dy C= to fix such rent as is fair for it to be paid by

NOTE—Contn. sheet.

GPB—50,000—12-8-10

1207 13

and Revenue Secretariat. | File No. 404 of 19 11

Serial No.

the Petr — taking into Consideration his allegations about having improved the garden &c at his Cost.

2. I do not consider that any other Modification or Concession can be allowed. A reply to this effect may be sent to Dy Cr & an endorsement to Petr

22/2/12

3. Drafts.

23/2/12

Submitted with Drafts.
AVC/132
28/2/12

(1st Councillor) 28/2/12

Draft appd. (The endorsement may be compared with original once again by the Rs. before issue.

Attended to 1.3.12

29/2/12

NOTE—Contn. sheet.

GPB—50,000—12 8 10

120

and Revenue Secretariat. | MR File No. 404 of 19 11

Serial No.	
	3d Issue MR 1.3.12
6	To the Dy Comr Shimoga dt No 2102 dt 5.3.912. Directing with certain observations that the conditions laid down in the G.O. dt 11.7.1911 cannot be altered.
7	Encl to the petn No 203 dt 5.3.912 Telegram from Timmanna Bhatta stating that the Govt order of 5th March 1912 is kept back, and praying for restitution.
8	From, the Dy Commr, Shimoga Dist Letter no 316 dt 14th May 1912 Submits further report on Sl 6. The Dy. Commr heard Timmanna Bhatta and his Advocate on 18-4-1912 As regards the restoration of the temple lands, the Dy Commr reports that the lessee does not agree to give up possession, that the opinion of the Govt Law officers will have therefore to be obtained whether the lease can be legally cancelled and that in the meanwhile, the lease must

† The G.O. says "if the lease can not be cancelled. "the petr will have to content himself with collecting the rent as long as the lease lasts."

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

be allowed to stand. He solicits orders whether the pet^r should be allowed to collect the lease amount during the currency of the lease

3. As regards the scale of expr prescribed in Govt order of 10th Nov. 1908, Thimmanna Bhatta considers that "Nanda Deepa" and "Naivedya and mangalarathi" for evening worship, are not necessary, but the Dy Commr is not prepared to accede to this request and thinks that it would be the duty of the pet^r to get the evening worship performed and to maintain a "Nanda Deepa".

2. As for the concessions to the pet^r, the Dy Commr discusses the improvements etc. said to have been effected to the Temple lands and thinks that the benefit to which the pet^r is entitled in respect of S No. 183 can be given effect to when Thimmanna Bhatta gets possession of the Temple lands. He adds that the contention that the present lessee has not been devoting proper attention to the improvement of the garden

NOTE—Contn. sheet.

1898

P S. 12]

General and Revenue Secretariat. | File No. 404 of 1911

Serial No.

X
W

Supari garden S. no 183 has to be substantiated by him. (From the Mahazar Dy 16th March 1912 in the Vern. records and the Mukdam's report Dy 21st March 1912, it will be seen that the present lessee has not been paying proper attention to the cultivation of the lands).

1st The Dy Commr is of opinion that the petr may be appointed as the paid manager on a remuneration of from about ⅓ to ½ of the net annual surplus of the temple after incurring the charges for worship in the instn and for payt of Govt dues.

Submitted for orders

AN (132) 3.
28.5.12 (Asst Commissioner)

1.7.12

~~Sanctioned Dy C's~~

5/6 What does ½ net surplus come to? The Dy C's recommn may be appd. Let me see draft.

4/7/12

NOTE—Contn. sheet.

GRB—20 000—20 1 12

9/6/17

S. 12]

General and Revenue Secretariat.

File No. 40H of 191

Serial No.	
y	In G. O. no. 191-H (Jud. J. 113-08-2) dated 10th Novr 1908, a scale of expenditure amounting to Rs 179-4-0 per annum against an income of Rs 309-4-0 as recommended by the Dy Commr, sanctioned, leaving a saving of Rs 130/ in favour of the inst. According to this order, ½ net surplus comes to Rs 65/- Draft order sanctioning the Dy. Commr's recommendation is submitted as directed.
9210	A Thimmanna Bhatta has presented 2 petitions D 44 and D 62 to the 1st Cr. wherein he complains of the deterioration of the temple garden by the present lessee- On D 44, the Cr. has ordered as follows:— "The complaints that the lessee has spoiled the garden should investigated & deterioration is p due steps should be taken." On D 62, the Cr. has ordered as follows:— "Has any enquiry been made already by Dy Commr on this allegation? If so, what is the result? If not

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

S. 12]

General and Revenue Secretariat.

File No. 404 of 1911

Serial No.

the Dy. Commr may be asked investigate and decide".

"This need not delay passing of the order as already directed".

2. In the concluding portion of para 10 of the letter under disposal, the Dy. Commr reports as follows:—

"The contention that the present lessee has not been devoting proper attention to the improvement of the young Supari garden S. No. 183 has to be substantiated by him".

3. Orders are solicited as to whether enquiry about garden may be made of the Dy. Commr before final orders are issued in the case.

Submtd for orders

Ay (132) 16.7.12

(1st Consultor) 16.7.12

19.8.12

593.

have made an addition

The Papers may be

to D.C. for full enquiry

& disposal—

19/8/12

Issue draft- appd.

Draft not drafted as

Papers

21/8/12

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Drug File No. 404 of 1911

Serial No.	
	Submits with a Dft. Memo forwarding the petitions for full enquiry & disposal. 21/8/12 (19) Issued 22/8/12
11.	To the Dy comr, Shimoga &c No. 334 d. 23.8.12 Directs that the petr, Thimmana Bhatta, should content himself with collecting the rent during the currency of the lease, (as in Govt Progs no. 2102/ Drug 404-11-6 d. 5.3.12) & that all the services - even Nandadipa- mentioned in the scale sanctioned in G.O no. 191-4/mg. 113-08-2 d 10.11.1908 be commuted regularly and sanctions the Dy. Comr's recommendation in Sl 1 for appointing Thimmana Bhatta as the paid manager of the institn, during the currency of the lease and subject to any orders that may be passed on the complaint of Thimmana Bhatta, on a remuneration of Rs 5/- the net Surplus - which comes to Rs 65/- after meeting the necessary

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

1027

General and Revenue Secretariat.

Mrg File No. 402 of 1911-2

Serial No.

12 To the Dy comr Shimoga
No 335 d. 23.8.12.
He d. 8.9.10 for full
enquiry & disposal in contn
of 8.11.

13. From, Nimmaiya Bhatta,
Petitnr dy 26-11-1912
6-12
Prays that the Vahivat of the
temple may be restored to him as he
that the savings of the temple may be
given to him as he has spent large
amounts for improving the temple
lands and complains that the present
lessee has spoiled the lands etc.
Submitted with a dft. forwarding the petn
AVC 13 y
16 12 12 in contn of this office o m.no 335 dy 23-8-12
with an endt to the petr

Explained in person to Mr ~~Lee~~ Councillor as per his orders on petn dy 23.12.12
9.1.13.

9. The later petns may be re-
ferred to the Dy C. with a request
that the matter may be settled
finally as far as possible with
regard to directions given in G.O.s
of 11.7.11 & 5.3.12, as the petr
has been persistently petitioning
for a more favourable
settlement.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

9/1/13

Draft dy 10.1.13.

G O of 10 11 08.

Temple & its endowments to be taken under govt. Management.

Income - Rs 309-4-0
Scale of Expᵉ - 179-4-0
Balᵉ to be credited to Temple } 130-0-0

Four Dharmadarsis to manage the affairs, the Vahivatdar (petr) being removed.

(illegible)

G O of 11.7.11.

Petr to be reinstated as Manager, on condition of managing the institution properly under the supervision of the local muzrai authority and also properly accounting for the income thereof.

Rw G O of 10 11 08 modified to above extent.

(illegible)

G.O of

Conditions laid down in G O of 11.7.11 can be altered. If the ... can be legally cancelled or the lessee ... up possession of ... hand over ... otherwise ... collect rent ... lease lasts. ... discretion ... to scale of ... & may then ... latitude to ...

If the pet ... of the garden ... rent to be ... regard being had ... allegations ... improved ... expense

No other modification allowed

(illegible)

M + 4771-11

5·3·12

—

o · dower
11 can not
of the lease
y cancelled
agrees to give
n, D.C. may
ioss^n to pet^r.
t^r can only
as long as the
Dy Com^r has
with regard
x/p^rs for worship+e
reasonable
et^r.
gets possⁿ
D.C. may fix
id by him,
had to his
xbnt having
it at considerable

concessions or
ns can be

—

Seen by 1st Councillor)

—

G O · of 23 · 8 · 12 .

—

As the lessee does not
agree to give up poss^n
of lands, pet^r must con-
tent himself with collecting
rent according to G·O of 5·3·12.
Full scale of expenditure
for worship shd be adhered to.
D C's recommendation sancts
that during currency of
lease pet^r to be paid manager
of the temple on a remunera-
tion of ½ net surplus, or
Rs 657- per annum.

—

Perhaps the Dy Com^r may be
asked to report the result
of his inquiry and investiga-
tion in the matter of the
pet^r's complaint that the
garden has been wilfully
allowed to deteriorate by the
lessee & whether the lease
may be cancelled if the
pet^rs' prayer complied with

10·1·12

Pet^rs of
5th July 12
Complaining
~~spot~~ of
the deteriora-
tion caused
by the lessee,
to the lands,
forwarded
to D.C.
for inquiry
& disposal
on 22/8/12

—

Letter Dj 8 2 1913 forwards petitions for final settlement & directs that the security demanded of the petr need not be insisted on & that the management of the temple be restored to the petr & adds that if he shows himself remiss in his duties, such further necessary action may be taken

Encl Dj 17/3/13 stating that none concerned have been shown to him and that he can't expect any further reduction of the orders already passed

On the memo forwarding copy of Encl, allows one year's time to the lessee to improve the lands.

Letter no. 1166 Dj 22 8 14 Relates the Conditions of actual residence of the petr in the Cancellation village & also of the Lease, Lapsing of rights

G.O no. 2102-3 Dj 31.3.1916 Directs the Cancellation of the Lease, of the Lands to main applicant.

(67 21)
G.O no 2172-3 Dj 17.3.16 On the review petition of the lessee main applicant, directs that there is no sufficient reason for the Cancellation of the lease which should not be disturbed during the currency of the period.

In his Letter no 436 Dj 8 5 1916, the D.C. recommended that on account of the failure of Hereditary Pharaka to act up to the Conditions laid down in his Muchalika the temple & its endowments might be resumed & the petr dispossessed of the temple Vacated.

(Dj 1 1 1916)

and Revenue
etariat.

File No. 404 of 191/

Serial No.

Submts. with a Dft
AV(132) 50
10.1.13.

D. 1100 – another Rpt. recd from the same Ast.

From, The Dy Commr, Shimoga Distt

Letter no 214 Dy 8-1-1913

Submits further report on the restoration of the management of the Temple of Sri Gangavisweswara Devaru at Bilamundi, Tirthahalli Dy, to Thimmanna Bhatta –

5th A draft is submitted as per Cro order – The Dy. Commrs further report on the subject has been received.

The Dy. Commr issued orders to the Amildar to obtain a Muchalika from Thimmanna Bhatta for the proper accounting of the revenues of the insttn and take a sufficient security from him in the matter, after satisfying himself that Thimmanna Bhatta has made arrangements to permanently reside in the village. The Dy Commr states that these conditions are necessary as Thimmanna Bhatta has liability to the extent of Rs 9000 and had left the village 4 years ago to reside at Mysore –

The Amildar states that Thimmanna Bhatta

NOTE—Contn. sheet.

GIL– 65,000—17-C-12.

R. S. 12]

General and Revenue Secretariat.

File No. 404 of 1911

Serial No.

has applied for a site for constructing a house for his residence in the village, but he considers it derogatory to his dignity to furnish security. The Dy. Commr thinks that in the matter of collecting the rent on the Temple lands during the currency of the present lease, it is necessary that proper security should be furnished by him for the said reasons - The Dy. Commr also states that Thirumanna Bhatta is not satisfied with his order of 23rd Septr 1912, and has submitted the entire records for such orders as may be necessary. Submitted - for orders with Rasi letter to AV(132) Dy Cmr. sending the letter for disposal & retg the records rec'd with his letter.

10.1.13.

11/13

There seems to be no way of helping the petr to any greater extent than has already been ordered. However, the Dy Commr may perhaps be asked not to insist on petr's furnishing any

NOTE—Contn. sheet.

GID—65,000—17-6-12.

S. 12]

General and Revenue Secretariat. | File No. 4014 of 1911

Serial No.

security, but to hand over the management on his agreeing to abide by the conditions of the G.O's already ~~issued~~ passed. This note, if approved, be added as shewn in the draft put up in accordance with the Councillor's order of 9.1.13 on page 20 above.

(1st Councillor). 29.1.13

The present order may go.

4/2/13

4/2

Issue. An endorsement to her who is waiting may also be given accordingly

5/2/13.

Keep fair draft in file

Submitted with a Dft. Endt.
AVC(132)
5/6/2/13.

Issue

7.2.13.

18

NOTE—Contn. sheet.

G 11—65,000—17-C-12.

S. 12]

1577

General and Revenue Secretariat.

File No. 404 of 191 /

Serial No.	
15	To The Dy Commr Shimoga &c no 916 D 8.2.1913 Forwards the petn with ~~a report~~ an observation that the Security demanded of the petr may not be insisted on & that the management of the temple & its properties may be handed over to him subject to his agreeing to abide by the conditions already specified. Endt to petr no 917 D 8.2.13.
16	Petition and a Telegram from Indur Thimmanna Bhatta on the same subject. (1) In his petition dated 3rd March 13, while repeating the facts of the case which are contained in the previous pay of the office note, Thimmanna Bhatta states that the Dy. Commr did not take any action on the Govt order conveyed in this office letter no 916 D 8th Feby. 1913, that he heard it said that the lessee was not prepared to give up the temple lands

NOTE—Contn. sheet.

GID—65,000—17-6-12.

General and Revenue Secretariat. | File No. 404 of 1911

Serial No.

at any cost, that the lands will be spoiled by the lessee and adds that if the Vahiwat is not restored to him, he may be pers to resort to civil Courts to establis his claim -

The Telegram from Thiruvarur Mk is addressed to the 1st Cr, and the Cr's. order thereon is as follows:-

"Muzrai, (with file)"

Submit for orders

AV(132) 1-2
24.3.1913

Put up a draft forwarding the petn and Telegram to the Dt Commr and call for an early report as regards the settlement often question in the lines indicated in this office letter No 916 dated 8th Feby 1913

Lee
29.3.13

Submit with a file docket and an Endt

AV(132) 1-2
31.3.13

230 : Subd to 1st Councillor.

In the letter to the Dt Commr dated 8.2.1913 he was requested to settle finally as far as possible with regard to the directions previously

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

1559

General and Revenue Secretariat. | File No. 404 of 1917

Serial No.

grain in the matter. The D.C. must not further decide to hand over the management of the temples and its properties. The language used in the letter and the petitions in the endorsement is capable of being interpreted as meaning that the properties after lands will be given to ~~the petitioner~~ them which apparently was not intended as it was definitely decided in the previous orders that the present lessee could not be disturbed until the term is over. Two drafts are submitted for approval in the orders.

Lee
2.4.13

Drafts appd. by I Sec to Council
2.4.13
DMF

Lee
3/4
Lee
4.4.

To the D.C. Shimoga
No. 1760 dt 16-4-913

Forwards the telegram dated... for an early report regarding the lines on which a final settlement has been arrived at by the Govt.

Encl- to Tel No 1769 dt 16.4.1913

NOTE—Contn. sheet.

GPB—65,000—17-9-12.

d Revenue retariat.

File No. 404 of 1911

Serial No.

18

From, the Dy. Commr, Shimoga Distt
Letter no. 351 Dy 19-5-1913.

Recommends that a period of one year may be granted to the lessee to effect necessary improvements to the lands of Sri Ganganiseswara Devaru temple at Bilamundi, Tirthahalli Dq-

On 8th March 1913, the Dy. Commr directed the Amildar to hand over the management of the temple to Thimmappa Bhatta on his executing a Muchalika to manage the institution in accordance with the conditions prescribed in the Govt orders on the subject-

In his statement Dy 28th March 1913 before the Dq. Amildar, Thimmappa Bhatta states that the original yield from the lands was Rs 65, that he was then expending Rs 135 and odd for services in the temple inclusive of Govt dues and that he will execute a Muchalika binding himself to account for only Rs 135 and odd He further says that as the income from the lands in excess of this amount is the result of his having spent large sums of money for the better

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

S. 12]

General and Revenue Secretariat. | File No. 404 of 1911

Serial No.

cultivation of the lands, there is no reason why this amount should be either spent for the temple or credited to the funds of the institution as directed by Govt. – He requests that the accumulated income of the temple may be made over to him –

(1) While reporting the foregoing facts, the Amildar solicits definite instructions in the matter.

(2) Cert. of the lands endowed to the temple, S. no. 184 is a garden land, and S. no. 183 is a wet land, some 2 acres of which have been converted into Supari garden by Shivramana Bhatt. The Dy Commr reports that S. no. 184 has not been allowed to deteriorate by the lessee, but that proper attention has not been paid to the young Supari garden raised in wet land.

(3) The lessee says that S. no 183 is a wet land on which wet assessment has been imposed, that he is not expected to convert the wet land into Supari garden, and promises to restore the supari portion to a proper condition

NOTE.—Contn. sheet.

GPB—65,000—17-6-12.

General and Revenue Secretariat. | File No 404 of 1911

Serial No.

at the close of the next year.

The Dy. Commr agreeing with the Assistant, is of opinion that as the lessee has regularly paid the rent every year, he may be granted a year's time to effect the necessary improvements and that if he fails to do the work, the conditions of the lease ~~may~~ may be enforced.

Thirumanna Bhatta has petd. (D.2.) to the Chief Cr bitterly complaining against the local authorities, and urging to a more favorable view in the case.

Submitted for orders

NV(132)1-1
5-6 1913. RL

Subd to 1st Councillor.

From the statement of Thirumanna Bhatta given before the Assistant dated 28th March 1913 it is clear that he is not amenable to reason. Concessions have been given him from time to time but apparently without satisfying him. He now claims that the temple, its properties and accumulations should be handed over to him, subject to his rendering accounts covering the last

NOTE.—Contn. sheet.

GPB—65,000—17-6-12.

Serial No.

per annum and that he alone should profit by the surplus income. In view of the series of decisions of Govt relating to the Malnad valivatu tenures, it seems to be impracticable to accept this attitude. Rs 65 a year has been allowed him as valivatu dar and he ought to be satisfied with it. An unmistakeable endorsement may be sent to him to this effect.

Regarding the restoration of the lands to Nirmanee Mallee, the order of 23rd Aug 1912 should be taken as conclusive. The DC's report that Bagge no 184 has not deteriorated ~~is deteriorated~~ but that the young plants in no 183 are not cared after satisfactorily enough and he recommends that one year's time may be given to the lessee to see to the improvement of the land. This recommendation may be accepted and the result also communicated to Nirmanee Bagge.

hg
25.6.13

An endt may be issued stating that no concessions therein desired have been

NOTE.—Contn. sheet.

GPB—65,000—17-6-12.

R S. 12]

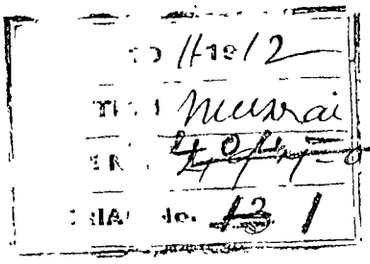
General and Revenue Secretariat.

File No. 404 of 1911

Serial No.	
	shown to him & that he cannot expect any further revision of the orders already passed.
	9/7/13
	Submd. with a draft letter
	14/7/13
19	To Theedar Sheinmanee Bhatta & the Dy. Commr. Shimoga No. 113 Mus. 404-11-19 dt 17.7.1913
	Informs the petitioner that more concessions than he deserves have been shown him and that he cannot expect any further revision of the order already passed.
	Forwarded for information together with the records received with his letter No. 351 Mus. 81 dt 19.5.13 & (in the meantime) the Dy. Commr's recommendation to give one year's time to the lessee's &c.

NOTE.—Contn. sheet.

DIARY No. 645



From The Deputy Commissioner

Shimoga District,

To

The Offg. Secretary to Government

of Mysore, Judicial Department,

BANGALORE.

Dated

Despatched 24th October 1911

Received

General No. 1097

No. 19

Enclosure No. 5 files

Adverting to correspondence ending with docket No.464- Jud. F. No. 437-09 dated 19-9-1911, submits report regarding the management of the temple of Sri Ganapathiswamy devaru at Bilamurdu in the Thirthalli Taluk.

C.J.
Conclusion note
Sd
31.10.11.
C.R. 6794

102/19 — In 5 files

Deputy Commissi

Dated, Shimoga, 24th October 1911

From

K, Srinivasa Row, Esquire,

Deputy Commissioner,

Shimoga District.

To

C.S.Balasundram Iyer, Esquire, B.A.,

Offg. Secretary to Government Of Mysore

Muzrai Department, Bangalore.

Sir,

Adverting to correspondence ending with your docket No. 444 Muzrai F.No. 437-09-10 dated 19-9-1911 re- the management of the temple of Sri Gangadhareswara Devaru at Bilemundo in the Thirthally Taluk, I have the honor to state that an order was issued on 29-9-1911 to the Amildar of Thirthally taluk that Thimmannabhatta might be reinstated as manager of the institution on his executing a muchalika on a stamped paper binding himself.

1. to conduct the daily and special services in the temple as per scale sanctioned in Government Proceedings No.191-4-Muz. F.113-09-9 dated 10-11-09,

2. to submit regularly vouchers for the expenditure incurred on behalf of the institution every month, and

3. to credit the savings after incurring the expenditure according to the prescribed scale, to Muzrai funds in favour of the institutions.

Thimmannabhatta who appeared before the Taluk

Amildar on the 9th instant has stated that when he executed a muchalika before the Deputy Commissioner on 22nd April 1911 agreeing to account for the receipts and expenditure of the institution in the manner to be determined by Government, he was not aware that he would be required to devote the proceeds of the temple lands solely for the benefit of the institution, and that as he had incurred a large outlay on the temple lands, he would be put to a loss if he should accept the management of the institution on the conditions now prescribed, and that he would represent his case again before Government.

3. As already decided by Government in their Proceedings No. 54-Mun.DF.497-09-3 dated 11-7-1911, Thimmanna-Bhatta cannot claim a beneficiary interest in the property of the temple although he is repeating his claim for the entire net profits from the temple lands.

4. The temple lands having been already leased out for cultivation for ten years to Ganavalli Manager in accordance with para 2 of the Government order of 10th November 1909, it is not possible to disturb his possession during the currency of the lease, and place Thimmanna-Bhatta in possession thereof. There is also no hope of Thimmanna Bhatta agreeing to manage the institution disinterestedly without any profit to himself although the deity is said to be his family God.

5. Under the above circumstances I am of opinion that it is not desirable to disturb the present management of the institution.

6. In this connection I may add that Manjappa, the original mulgemadar, has asked for the lease deed for RS.

9000 produced by him (farist xo under which he h-d obtained the temple lands from Thirmanabhatta to file a suit against him.

7. The five files of vernacular records received with the Taluk Amildar's itBills No.196 dated 9-9-11 are resubmitted for favour of early orders and ollowing return.

I have the honor to be,

Sir,

Your most obedient servant,

R Srinivasa

Dept Commissioner,

Shimoga District.

No 1623 Encl
Mus ~~497-08-45~~ 404-11-3
Dt 16-1-1912

[illegible]

By order
[illegible] 12/1/1912
Sd/- for Secretary.
12.1.12

Copy to the Reg. No 1624 Exfiles.
Commr, Shimoga Dist, Mis ~~497-08-15~~ 4-11-3
D. 16-1-1912
returning the records recd
with his letter no 102/19
D/ 24th Oct 1911.

B. O.
[illegible] 12/1/1912
Sd/- for Secretary.
12.1.12

DIARY No. 1207

1911-1912

Mus

404-11

SECTION 4

VII 1/2 par 1912

From

K. Srinivasa Rau Esqr
Deputy Commissioner
Shimoga District

To

C. S. Balasundaram Iyer B.A.
Secretary to Government
of Mysore, Muzrai
Branch

Dated 8th
Despatched
Received February 191

General No. 2011
No. 14 -

Enclosure No.

In reference to his Memorandum No 1624-Muz-497-08-5, dated the 16th January 1912, requesting that orders on points raised in this Office No 102/19 dated 24th October may be passed early

Continuation note

8/2 12/1/12

12/4/12

GPB—1,50,000—20-6-11

No 207/Exc 1/16
42

Deputy Commissioners
Shemoga District
Dated, 8th February 1912

From

R Srinivasa Row Esquire
Deputy Commissioner
Shemoga district

To

C S. Palasundaram Iyer Esquire B.A
Offg. Secretary to the Government
of Mysore, Revenue Department

Sir,

Adverting to your Memorandum No 1624 — Revr 497-08-5 dated 16th January 1912, forwarding copy of an endorsement issued to Sheminamalakka of Belamundu in the matter of reinstating him as Vahivatdar of the Temple of Sri Ganga-vimeswara devaru in the Village, I have the honor to state that no orders have been passed on the points raised in my letter No 102/19 dated 24th October 1911 viz. —

(1). Whether the temple lands which

more

were leased out for a period of ten years as per Government Order No 191-4-Mur 8-7113-08-2 of 10th November 1908, ought to be placed now in possession of Sriman nalbhatta.

(2) whether in re-appointing Sriman nalbhatta, as manager of the institution he should be directed to conduct the worship and other services in the temple on fee scale sanctioned in Government Order of 10th November 1908.

2. Mr. S. Sitaramiah Advocate, who appears for Sriman nalbhatta before me today, urges, that as the Management of the institution was ordered in Government Order No 84-Misc. 497-08-9, dated 11th July 1911, to be handed over to Sriman nalbhatta, the previous Order of Government on the subject should be considered to have been cancelled in toto

3. As Sriman nalbhatta appears

and

anxious to take up the in
of the institution again, I would
request the favor of early orders on
the points referred to in para 1 supra
4. The advocate for the petitioner
desires that his client should be
heard in person before final orders
are passed by Government
The five files of Vernacular
records received with the memo
under reply are returned herewith.

I have the honor to be
Sir,
Your most obedient Servant

for Deputy Commissioner
Treasury Assistant Commr.
Shimoga District
Gell absent from Head Quarters

DIARY No. 12414

Proceedings of the Government of His Highness the

Maharaja of Mysore.

Read:-

Government Proceedings No.191-4/Muz.F.113-08-2 dated 10th November 1908 approving of the action of the Deputy Commissioner, Shimoga District, in taking over the affairs of the temple of Sri Gangavisweswara Devaru at Bilamunde, Tirthahalli Taluk, and its endowments under Government management, and sanctioning a scale of expenditure in the temple and the leasing out of the temple lands for 10 years.

Government Proceedings No.84/Muz. F 497-08-9 dated 11th July 1911 directing the modification of the above order, and the reinstatement of Thimmanna Bhatta as manager of the institution under certain stipulated conditions.

Letter No.207/42 dated 8th February 1912 from the Deputy Commissioner, Shimoga District on the subject.

Petition dated 12th February 1912 from Thimmanna Bhatta praying among other things that the temple lands may be restored to his possession.

Order thereon No. 2102 Emp/Ele
Muz F 404-11-6.
Dated Bangalore. 5th March 1912.

The conditions laid down in the order of the 11th July 1911 read above, cannot be altered and must stand.

If the lease can be legally cancelled or the lessee agrees to give up possession, there is no objection to Deputy Commissioner giving actual possession to the petitioner; but if this cannot be done, the petitioner will have to content himself with ----- collecting the rent reserved as long as lease lasts.

The Government Order of 1908 was so far modified by the later order as to leave it to the discretion of "the local Muzrai authority" to direct in what manner the worship should be carried on properly and the Deputy Commissioner has therefore discretion either to direct the scale prescribed by the previous order to be adhered to, or to allow any reasonable latitude to the petitioner.

If the Petitioner gets actual possession of the garden it is open to the Deputy Commissioner, to fix such rent as is fair for it to be paid by the petitioner taking into consideration his allegations about having improved the garden Etc., at his cost.

Government do not consider that any other modification or concession can be allowed.

Fair copy J Ramachandrappa

For Offg Secretary to Government

To

The Deputy Commissioner, Shimoga District, returning the record.

B.K.

2055 — — Dft as per orders

R.S 98]

File No. 406-1,
Serial No.

Diary No. of letter replied to 120

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

READ—

— — Govt Pro no 191-4/Mug 7 113 Dy 10th Nov 1908 approving of the action ~~taken~~ ~~by~~ of the Dy Comr Shimoga Distt, in taking over the Temple of Sri Gangavisweswara

the 19

Date of issue 5-3-1912

Signed by Hon B Ramaswamy Ayy

ORDER THEREON.—No.

Devaru at Bilamunde, Sorab Taluk, and its endowments under Govt management, and sanction a scale of expts in the Temple re the leasing out of the Temple lands for 10 years — Govt Pro no 84/Mug 7 497-08, Dy 11th July 1911 directing the mode over. procedure

SUBJECT.

GPB—10 000 20 9 10

of the above order, and the re-
instatement of Thimmanna Bhatta
as manager of the inst^n under certain stipulated
conditions.

Letter no 204/42 dy 8th Feby 1912
from the dy Comm^r Shimoga
Dist, ~~requesting defnite orders~~
on the subject

Petition dy 12th Feby 1912
from Thimmanna Bhatta praying, among other things
that the temple
lands may be restored to his possession.

Order thereon — No. 2102 Cir/file dy 5/3/12
Mut. 404-1-6

~~Upon direct that~~ The conditions
laid down in the order of 11th
July 1911 read above, cannot
be altered and must stand

If the lease can be legally
cancelled or the lessee agrees
to give up possession, there is
no objection to dy. Comm^r
giving actual possession to
the petr; but if this cannot
be done, the petr will have to
content himself with collecting
the rent reserved as long
as the lease lasts.

G R S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

The Govt. order of 1908 was so far modified by the later order as to leave it to the discretion of "the local Nuznai authority" to direct in what manner the worship should be carried on properly and the Dy Commissioner has therefore discretion either to direct the scale prescribed by the previous order to be adhered to, or to allow any reasonable latitude to the petrs.

If the petrs gets actual possession of the garden, it is open to the Dy Comrs, to fix such rent as is fair for it to be paid by the petrs — taking into consideration his allegations about having improved the garden &c. at his cost but do not consider

GPB—10,000—22 2 11

mat any ~~[illegible]~~ other modification
or Concession can be allowed.

Endt No even 28/2/12
For Mg Secretary

To,
28/2/12

The Dy. Comm r, Srinagar
Distt, retng. the records
Endt to the file

29/2/12

Dft. as per Con. order

No 2103 Dt 5-3-912
Mun 404-11-7

Yoga 1224 Dt. 12-2-1912

By order

28/2/12

for Mr. Lewis

28/2/12

1912

From The Deputy Commissioner
Shimoga District

To The Secretary to the Govern
of Mysore
Munzrai Department

Dated 14th May 1912

Despatched

Received

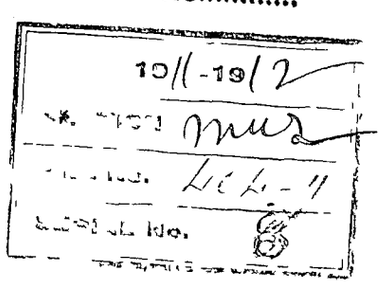
General No. 316

No. Mug: 70

Enclosure No. Three V. files.
(Sent in a Separate packet)

Submits Vernacular files with opinions re the reinstatement of Thimmannabhatta as manager of the temple of Sri Gangaviseswara Devaru at Bilammoi in the Thirthali Taluk

DIARY No. 1898



No 316. Encs: 5 files
Judg: 70

Deputy Commiss
Shimoga Distri

Dated 14th may 1912

From,

K. Srinivasa Rao Esquire
Deputy Commissioner,
Shimoga District.

To,

The Offg. Secretary to the
Government of mysore.
(Miscl. Department)

Sir,

Adverting to correspondence ending
with Government Proceedings No 2102-Misc. F. 404-11-6
dated 5th march 1912, re the reinstatement of
Thimmannabhatta as manager of the temple
of Sri Ganapatiswara Devaru at Bilamnde
in the Thirthalli Taluk, I have the honor to —
state that Thimmannabhatta and his advocate
were heard in person on 18th april 1912

The lessee does not agree to give
up

up possession. The opinion of the Government law officers will have therefore to be obtained as to whether the lease can be legally Cancelled meanwhile it seems to me that the lease must be allowed to stand. Whether the petitioner should be allowed to collect the lease amount during the currency of the lease is a point on which I would solicit the orders of Government.

In regard to the scale of expenditure prescribed for the various items of worship in the temple by Government in their order No 191-4-Mmg F 113-08-2 dated 10th November 1908, Thimmannabhatla Considers that item No 2 for "Nandadipa" and item No 3 for "Naivedya and mangalarti" for evening worship are not necessary as no Nandadipa was ever maintained and the evening worship was never in vogue and he adds that as the temple is situated about a mi from the nearest habitation, evening of worship

worship would be hardly possible I am not prepared to accede to this request and it would be the duty of Thimmannabhatta to get the evening worship performed and to see to the maintenance of a nandadipa.

In regard to the observations of Government that when the petitioner gets actual possession of the garden, the rent to be paid by him should be fixed after taking into Consideration his allegations about having improved the garden at his cost etc, Thimmannabhatta contends.

(1) That according to the Inamti accounts the Supari garden in the Khate of the Devaru was estimated to yield on an average about Rs 90/- per year, and that the present yield is about 42½ maunds of Supari which at the market rate would be worth Rs 340/-. This increase he attributes to the money spent by him for its improvement.

(11). That he planted a new areca garden of

2 acres in a portion of paddy field

Survey Number 183, and

(iii). That he improved the tank in Survey

Number 183.

5. As regards the first Contention, it is seen from the records that the inam lands of this temple measured 20 Khandies of wet land with a beriz of Rs 22-11-1 and a garden land of 1000 daya trees with a beriz of Rs 36-14-0. at the time of the inam settlement this extent of wet and garden lands was settled in favor of the Devam. The wet and garden lands belonging to the institution at the time of the settlement of the Taluk were Survey Number 183 measuring 13 acres and 23 guntas assessed at Rs 44 and Survey No 184 measuring 5 acres and 10 guntas assessed at Rs 73 In the Vahivat Jakhta submitted from the Taluk office in 1879-80. It was suggested that the entire inam might not be

be assigned out of the garden land Survey No 184. Following this suggestion the inam Department Confirmed an extent of 4 acres and 28 Guntas assessable at Rs 65-8-0 out of Survey No 184 as inam and bicated the remaining portion of Survey No 184 (22 guntas assessable at Rs 7-8-0) and the entire extent of Survey No 183 as Khalsa.

The yield of the garden land belonging to the temple as given in the statement furnished to the Inam Department by the then managers of the institution cannot be a safe ~~basis~~ basis especially as when issuing the final title-deed, the Inam Department settled the inam out of the garden land Survey No 184.

It is further seen from the records that Survey No 184 was conveyed by the petitioner to his brother-in-law Pandeswara Sitaramiah in South Canara on Mulgani tenure for a small annual rent of Rs 90-5-0 The petitioner says that it was on the

Express

express understanding that the lessee should improve it that he leased out the land to him. Beyond the statements of the petitioner and of the lessee, there is nothing else on record to show that they have spent any money on improving the land. Even if the lessee has spent anything in this direction, the petitioner cannot claim any benefit for it. In fact, it is doubtful if the petitioner did intend the improvement of the land when he leased it out to his brother-in-law in a distant place, as he could easily have got a loan for its improvement locally.

8. That the tank in Survey No 183 was improved is clear from the fact that the Akarabandi of the village has been revised and that an extent of 1 acre and 15 guntas out of this Survey No has been brought under Phut Kharab. For the stone and masonry work done to the tank, the petitioner has been paid and as a ryot he is bound to do earth-work to the tank bund annually and cannot claim to be paid for it

It is also seen that at the time of Settlement of the Taluk, Survey No 183 although belonging to the temple was registered in the name of Devar Thimmappiah as a Sircar land, and was subsequently transfered to the petitioner by a Vangarajinama. He attempted to get it transfered to his son in the sale for arrears of revenue, and when it was discovered that it was a Khalsa land belonging to the Devaru, he protested against the transfer of the Khata of the land to the Devaru.

10. It seems therefore that the improvements effected by the petitioner to Survey No 183 were not done with the intention of improving the lands for the benefit of the temple, but only with the intention of seeking a benefit for himself. The Contention that the present lessee has not been devoting proper attention to the improvement of the young Supari garden Survey No 183 has to be substantiated by him

11. The benefit to which the petitioner would

would be entitled for the improvement of Survey in the matter of No 183 is, the rent to be paid on wet lands of a similar nature converted into fardens at the expense of the lessees according to the practice in the locality and this can be given effect to when the lands come actually into his possession.

12. I am of opinion that during the currency of the lease it will be fair if the petitioner is appointed as the paid manager of the institution on a remuneration of from about one third to one half of the net annual surplus amount to the temple after incurring the charges required for worship in the institution and payment of the Government dues.

13. I request to be favoured with orders of Government on the subject at an early date.

14 The Vernacular papers on the subject accompany for reference and

obliging

Jtm. obliging return.

I have the honor to be,

Sir,

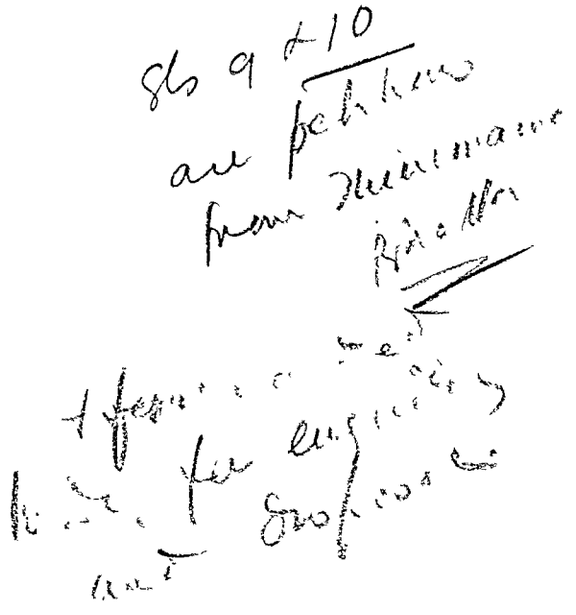
Your most obedient Servant.

[illegible]

Treasury Assistant Commissioner

for Deputy Commissioner

To, Shreveport District

(absent from head-quarters).

GHH